

### Comment 3. Whether To Collapse IHSW and Thyssen and Assign Them a Single Margin Rate

IHSW argues that the Department should not consider collapsing IHSW with Thyssen, as alleged in petitioners' October 14, 1997, submission. IHSW asserts that petitioners' contention is unfounded because: (1) IHSW and Thyssen were completely unrelated during the POI and this issue would be more appropriately considered, if at all, in an administrative review; (2) the acquisition occurred after the POI and therefore, neither company could have exercised control over the other during the POI; and (3) there is no verified information on the record to determine whether the potential for shifting of production between IHSW and Thyssen exists.

Petitioners rebut IHSW's argument, stating that, for the reasons detailed in their October 14, 1997, submission, the Department should collapse IHSW and Thyssen and calculate a single margin rate for the two companies. Petitioners contend that the relationship between IHSW and Thyssen is such that it meets the criteria for collapsing the companies (i.e., the producers are affiliated; the producers have similar manufacturing facilities such that production can be shifted between the two; and "there is significant potential for manipulation of price or production").

**DOC Position.** We disagree with petitioners. IHSW purchased Thyssen's steel wire rod-producing subsidiary six months or more after the POI. There is no evidence of any affiliation between these companies during the POI. Further, the limited evidence concerning this transaction is insufficient to determine that it established any affiliation between IHSW or Thyssen or, if they are affiliated, to determine that collapsing is warranted. Therefore, we have assigned the companies separate cash deposit rates in this final determination. The merits of petitioners' collapsing argument may be explored in the context of an administrative review, if an antidumping order is issued and a review requested, for the period during which the acquisition of Thyssen's rod-producing subsidiary took place.

### Continuation of Suspension of Liquidation

In accordance with section 735(c)(4)(A) of the Act, we are directing the Customs Service to continue to suspend liquidation of all entries of steel wire rod from Germany, as defined in the "Scope of Investigation" section of this notice, that are entered, or

withdrawn from warehouse, for consumption on or after October 1, 1997, the date of publication of our preliminary determination in the **Federal Register**. For these entries, the Customs Service will require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price as shown below. This suspension of liquidation will remain in effect until further notice.

MFR/producer/exporter	Margin percentage
Brandenburg Elektrostahlwerk GmbH .....	153.10
Ispat Hamburger Stahlwerke GmbH .....	72.51
Saarstahl AG .....	153.10
Thyssen Stahl AG .....	153.10
All-Others .....	72.51

The all-others rate applies to all entries of subject merchandise except for the entries of merchandise produced by the exporters/manufacturers listed above.

### ITC Notification

In accordance with section 735(d) of the Act, we have notified the ITC of our determination. As our final determination is affirmative, the ITC will determine whether these imports are causing material injury, or threat of material injury, to the industry within 45 days of its receipt of this notification.

If the ITC determines that material injury, or threat of material injury, does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This determination is published pursuant to section 735(d) of the Act.

Dated: February 13, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98-4541 Filed 2-20-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Princeton University; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

**Docket Number:** 97-096. **Applicant:** Princeton University, Princeton, NJ 08544-0033. **Instrument:** Crystal Growth Furnace, Model FZ-T-10000-HVP-II-P. **Manufacturer:** Crystal Systems Inc., Japan. **Intended Use:** See notice at 63 FR 809, January 7, 1998.

**Comments:** None received. **Decision:** Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

**Reasons:** The foreign instrument provides optical melting of a polycrystalline rod to produce a single uncontaminated crystal along a moving float zone on the rod. The National Aeronautics and Space Administration advised on February 3, 1998 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Frank W. Creel,**

*Director, Statutory Import Programs Staff.*  
[FR Doc. 98-4540 Filed 2-20-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 021798B]

#### Gulf of Mexico Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.